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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. 4:21-mj-71411-MAG-5
)	
Plaintiff,)	STIPULATION AND ORDER CONTINUING
)	STATUS CONFERENCE AND EXCLUDING
v.)	TIME UNDER THE SPEEDY TRIAL ACT AND
)	FEDERAL RULE OF CRIMINAL PROCEDURE
BIREN DESAI,)	5.1(c) AND (d)
)	
Defendant.)	

A status conference in the above-captioned case is scheduled for January 26, 2022. Counsel for the United States and counsel for the defendant jointly stipulate and request that that status conference be continued to February 18, 2022, and that time be excluded under Federal Rule of Criminal Procedure 5.1(c) and (d), and the Speedy Trial Act from January 26, 2022 to February 18, 2022.

The government and counsel for the defendant have agreed that time be excluded under Federal Rule of Criminal Procedure 5.1 and the Speedy Trial Act so that defense counsel can continue to prepare. The government has produced voluminous discovery to defense counsel and defense counsel needs time to review the discovery with the defendant. For these reasons, the parties stipulate and agree that excluding time until February 18, 2022, will allow for the effective preparation of counsel. *See*

1 U.S.C. § 3161(h)(7)(B)(iv); FRCP 5.1(c) and (d). The parties further stipulate and agree that the ends of
2 justice served by excluding time from January 26, 2022 to February 18, 2022, from computation under
3 the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d) outweigh the best interests
4 of the public and the defendant in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv).

5 The undersigned Assistant United States Attorney certifies that she has obtained approval from
6 counsel for the defendant to file this stipulation, request, and proposed order.

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8 IT IS SO STIPULATED.

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10 DATED: January 20, 2022

/s/ Molly K. Priedeman
MOLLY K. PRIEDEMAN
Assistant United States Attorney

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13 DATED: January 20, 2022

/s/ Joanna Sheridan
JOANNA SHERIDAN
Attorney for the Defendant

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STIPULATION TO CONTINUE STATUS HEARING AND EXCLUDE TIME
AND ORDER

ORDER

Based upon the representations of counsel and for good cause shown, the Court finds that failing to exclude the time from January 26, 2022 to February 18, 2022, would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from January 26, 2022 to February 18, 2022, from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d) outweighs the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from January 26, 2022 to February 18, 2022, shall be excluded from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d) and the status conference is continued to February 18, 2022.

IT IS SO ORDERED.

DATED: January 21, 2022

